IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1125 (S/S) of 2006

Puran Chandra
S/o of Sri Shiv Lal,
Resident of Nai Basti, Bhoot Bangla,
Gali No. 1, Tehsil – Rudrapur,
District – Udham Singh Nagar. **…….Petitioner**

V e r s u s

1. State of Uttaranchal through Principal Secretary, Medical, Health & Family Welfare, Uttaranchal Shashan, Dehradun.
2. Director General, Medical, Health & Family Welfare, Uttaranchal, Dehradun.

……Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Manoj Mohan, learned counsel for the petitioner and Sri Harendra Belwal, learned counsel for State of Uttaranchal on behalf of respondents.

By means of this writ petition, the petitioner has prayed to issue a writ in the nature of Mandamus commanding the respondents to appoint the petitioner on the post of Pharmacist in view of the fact that persons belong to same category to which petitioner belongs has been appointed on the post of Pharmacist though the petitioner having higher marks has not been provided appointment.

Petitioner has filed a list of selected candidates, which is Annexure no. 6 to the writ petition. According to the petitioner, Sri Pyare Lal, who is a male candidate, belongs to SC category has obtained diploma in Pharmacy in the year 2001 though he has obtained 66.19 marks has been appointed on the post of Pharmacist whereas petitioner, who is male candidate, belongs to SC category has obtained Diploma in Pharmacy in the year

2001 has not been appointed in spite of the fact he has obtained 66.57 marks.

In view of the above circumstances, I direct the petitioner to make detail representation before Director General, Medical Health and Family Welfare, Dehradun within a period of two weeks from today and the Director General, Medical Health and Family Welfare, Uttaranchal shall decide the representation of the petitioner with speaking order within a period of four weeks from the date of production of certified copy of this order along with representation.

With this direction the writ petition is finally disposed of. Application No. 10486 of 2006 is disposed of. No order as to costs.

(M.M. Ghildiyal, J)

August 19, 2006
SKSharma